

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DAVID FRANKLIN WEST,

Plaintiff,

v.

STATE OF WASHINGTON, *et al.*,

Defendants.

Case No. C14-584-MJP-JPD

REPORT AND RECOMMENDATION

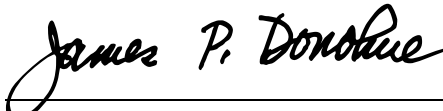
This is a civil rights action brought pursuant to 42 U.S.C. § 1983. Plaintiff submitted his complaint to the Court for filing on April 18, 2014 while he was confined at the King County Correctional Facility in Seattle, Washington. (*See* Dkt. 1.) On May 16, 2014, this Court issued Orders granting plaintiff leave to proceed with this action *in forma pauperis* and directing plaintiff to show cause why this action should not be dismissed for failure to state in his complaint any claim upon which relief could be granted. (Dkts. 7, 9.) On May 27, 2014, the copies of the Orders mailed to plaintiff at his address of record were returned by the post office with a notation indicating that the mail was not deliverable because plaintiff was no longer at the King County Correctional Facility. (Dkt. 10.) To date, plaintiff has not provided the Court with an updated address.

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1 Because over sixty days have passed since mail directed to plaintiff at his address of  
2 record was returned by the post office, and because plaintiff has not notified the Court of his  
3 current address, this action should be dismissed, without prejudice, for failure to prosecute  
4 pursuant to Local Rule CR 41(b)(2). A proposed order accompanies this Report and  
5 Recommendation.

6 Objections to this Report and Recommendation, if any, should be filed with the Clerk and  
7 served upon all parties to this suit by no later than **August 21, 2014**. Failure to file objections  
8 within the specified time may affect your right to appeal. Objections should be noted for  
9 consideration on the District Judge's motion calendar for the third Friday after they are filed.  
10 Responses to objections may be filed within **fourteen (14)** days after service of objections. If no  
11 timely objections are filed, the matter will be ready for consideration by the District Judge on  
12 **August 22, 2014**.

13 DATED this 31st day of July, 2014.

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15 JAMES P. DONOHUE  
16 United States Magistrate Judge  
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